

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JIM WESLEY DAVIS, # 30453-138,	§	
Petitioner,	§	
	§	
v.	§	3:15-CV-2202-B-BK
	§	
UNITED STATES OF AMERICA,	§	
Respondent.	§	


ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE, AND
DENYING CERTIFICATE OF APPEALABILITY

The United States Magistrate Judge made findings, conclusions and a recommendation in this case. Petitioner filed objections, and the District Court has made a *de novo* review of those portions of the proposed Findings, Conclusions and Recommendation to which objection was made. The objections are overruled, and the Court **ACCEPTS** the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that the petition for audita querela is summarily **DISMISSED without prejudice**. Even liberally construing the petition as being brought under 28 U.S.C. § 2241, it is **DISMISSED without prejudice for lack of jurisdiction**.

The Clerk of the Court is **directed to open** and close for indexing purposes a section 2241 habeas corpus action (NOS 530, assigned to the same district judge and magistrate judge as this case).

SO ORDERED this 6th day of October, 2015.



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE